



IFW RCE/1631H

DOCKET NO. C1041.70016US00

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/954,987
Confirmation Number	7680
Filing Date	September 17, 2001
First Named Inventor	Stefan Bauer
Group Art Unit	1631
Examiner Name	Carolyn L. Smith

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, **you** may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114

a. Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .  
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
- iii. ☐ Other:

b. Enclosed is/are:

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other:

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months) and the Fee of \$130.00 under 37 C.F.R. § 1.17(i) is enclosed.
- b. ☒ Other: Petition for Three Month Extension of Time; Return Postcard

3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

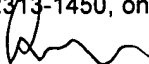
- a. ☒ Enclosed is a check in the amount of \$1720.00 which covers:
  - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$770.00)
  - ii. ☒ Three Month Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17) (\$950.00)
  - iii. ☐ Other

4. If the filing of this RCE necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time.

5. If there is no check enclosed, or if the amount of the enclosed check in this RCE is incorrect, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

<b>6. CORRESPONDENCE ADDRESS</b>
<i>Correspondence address below</i>
<b>CUSTOMER NUMBER:</b> <b>23628</b>

OR

<b>ATTORNEY'S NAME</b>	Alan W. Steele, M.D., Ph.D., Reg. No. 45,128				
<b>FIRM NAME</b>	Wolf, Greenfield & Sacks, P.C.				
<b>ADDRESS</b>	600 Atlantic Avenue				
<b>CITY</b>	Boston	<b>STATE</b>	MA	<b>ZIP</b>	02210
<b>COUNTRY</b>	USA	<b>TELEPHONE</b>	(617) 720-3500	<b>FAX</b>	(617) 720-2441
<b>7. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>					
<b>NAME</b>	Alan W. Steele, M.D., Ph.D., Reg. No. 45,128				
<b>SIGNATURE</b>					
<b>DATE</b>	July 16, 2004				
<b>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)</b>					
The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to <b>MAIL STOP RCE</b> , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16 <sup>th</sup> day of July, 2004.					
 _____ Alan W. Steele, M.D., Ph.D.					



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

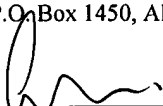
Applicant: Bauer et al.  
Serial No.: 09/954,987  
Confirmation No.: 7680  
Filed: September 17, 2001  
For: PROCESS FOR HIGH THROUGHPUT SCREENING OF CpG-BASED  
IMMUNO-AGONIST/ANTAGONIST

Examiner: Carolyn L. Smith  
Art Unit: 1631

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 16<sup>th</sup> day of July, 2004.

  
\_\_\_\_\_  
Alan W. Steele, Reg. No. 45,128

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Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE AND AMENDMENT**

This paper is filed in response to the Office Action made final and mailed February 5, 2004, in the above-captioned matter. A shortened statutory period for reply was set to expire three months from the mailing date of the Office Action. Accompanying this Amendment is a petition, along with the required fee, for a three-month extension of time, up to and including August 5, 2004, to respond to the Office Action. This response is thus timely filed.

Please amend the application as specified below.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.